

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Yu on 28 August 2008.

The application has been amended as follows:

2. Cancel claims 28-31. Claims 1-3, 5, 7-16, 18, 19, 21-15 and 27 remain pending.

Allowable Subject Matter

3. Claims 1-3, 5, 7-16, 18, 19, 21-15 and 27 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Regarding independent claim 1, the prior art fails to disclose or suggest a device for delivery around a ganglion with three separately engagable series of contacts with the described different diameters such that the device takes on an ovoid shape to more closely engage the ovoid shape of the ganglion. The most relevant cited prior art discloses series of contacts that are not separately engagable and that are designed to conform to the uniform diameter (i.e. tube shape) of a nerve rather than the ovoid shape of a ganglion.

Regarding independent claims 14, 19 and 23, the prior art fails to disclose or suggest probes disposed on a shaft in such a way that the probes are slideably engagable, i.e. repositionable, along the length of the shaft. The most relevant cited prior art discloses probes that are fixed at the end position of the lead or shaft, and are not repositionable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Flory whose telephone number is (571) 272-6820. The examiner can normally be reached on M - F 8:30 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on (571) 272-4955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3762

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Christopher A. Flory/

5 September 2008

/George Manuel/

Primary Examiner